

REMARKS

Reconsideration of this application is respectfully requested.

This application has been reviewed in light of the decision of the Office Action of the United States Patent and Trademark Office dated September 9, 2004. Claims 9 and 12-14 are currently pending in this application.

In the Office Action, the Examiner has now rejected Claims 9 and 12-14 under 35 U.S.C. §103 (a) as being unpatentable over *Sanders, III et al.* (U.S. 6,026,296), *Applicants Admitted Prior Art* (AAPA), and *Mukherjee et al.* (U.S. 6,289,223). However, in reviewing the new alleged prior art cited by the Examiner, specifically *Mukherjee*, it is noted that the foreign filing date of the priority document of the present application (August 12, 1997) pre-dates the U.S. filing date of *Mukherjee* (July 22, 1998). As a result, it is respectfully submitted that *Mukherjee* cannot be used as prior art against the present application and it is respectfully requested that the rejection of Claims 9 and 12-14 be withdrawn.

Additionally, a verified English translation of KPA 38430/1997 is enclosed herewith, as is required under 37 C.F.R. § 1.55.

Accordingly, in view of the preceding remarks, it is respectfully submitted that Claims 9 and 12-14 are in condition for allowance. Should the Examiner believe that a telephone

conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

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